

Mobile Vending Cart/Mobile Food Truck License Application

General Information: Municipal Code 4.08

No individual, including an employee or agent of a group of individuals, partnership, or corporation, whether a resident of the City or not may engage in the operation of any business, operation, event or activity described, whether implicit or implied, within this ordinance without first obtaining a license as provided in this chapter. (Ord. 2977 §1, 1961) An applicant is responsible for submitting an application and obtaining the appropriate license for the type of business being conducted in the City and Urban Growth Boundary. In addition to the specific license activity, an applicant is responsible for applying for and paying the appropriate annual fees for a City occupation (business) tax in accordance with Section 4.08 of the Municipal Code. No solicitor/peddler, mobile vending vehicle, or temporary merchant has an exclusive right to a particular location on permitted public right-of-ways, sidewalks, or designated public property, or shall operate in a congested area where the operations impede or inconvenience the public. For the purpose of this chapter, the judgment of the Department of Public Safety Department is conclusive as to whether the area is congested, the public impeded or inconvenienced.

This application is to be used for individuals intending to operate a business that meets one of the following definitions:

“Mobile Vending Cart” means a push cart movable under human power that is operated by a vendor standing on the sidewalk for the sale of food ready to eat.

“Mobile Food Truck” means a motorized vehicle operated by a vendor standing on or within the frame of the vehicle either on the public rights-of-way between the curb lines in a designated on-street mobile vending zone for the sale of food served ready to eat.

Additional Relevant Definitions:

“Mobile Vending Zone, Off-street” means a private property or designated public property where mobile food trucks, mobile vending trailers or mobile vending carts may operate compliant with standards contained within this title, health code and other applicable codes, ordinances and regulations.

“Mobile Vending Zone, Sidewalk” means an area of improved public sidewalk designated by ordinance where only those operators or vendors licensed as mobile vending carts may operate compliant with standards contained within this title, health code and other applicable codes, ordinances and regulations.

“Sidewalk Vending” means the peddling, vending, selling, displaying, or offering for sale any item of tangible personal property or other thing of value from a mobile vending cart by a vendor to persons on the public right-of-ways including sidewalks.

“Street Vending” means the peddling, vending, selling, displaying, or offering for sale any item of tangible personal property or other thing of value from a mobile food truck situated on the public rights-of-ways between the curb lines by a licensed mobile food truck vendor to persons on the sidewalk.

Operations Standards:

All uses licensed under this chapter shall comply with all relevant standards contained in this section.

1. Hours of operation. Vendors and temporary merchants except ice cream trucks and solicitors shall be allowed to engage in their licensed business between 7:00 a.m. and 11:00 p.m., Monday - Sunday.
2. Removal of mobile vending vehicle during non-operating hours. All mobile vending vehicles must be removed from public or private property during non-vending hours. If a Special Event Permit is sought in accordance with Title 4 of the Municipal Code, the City may make an exception to the usual hours of operation and the requirement to remove vending vehicles each night.
3. Public health codes. Vendors, solicitors, and temporary merchants shall comply with all applicable Josephine County Department of Public Health requirements.
4. Building and fire codes. Vendors, solicitors, and temporary merchants shall comply with all applicable City Building and Fire Code.
5. General location. Unless positioned on private property, a mobile vending vehicle shall not be located:
 - a. Where the public sidewalk is less than five feet wide;
 - b. In an alley not designated as an off street mobile vending zone
 - c. Within a midblock crosswalk area;
 - d. On the portion of a public sidewalk crossed by a public or private driveway or within ten feet of either side of the driveway;
 - e. Within any street corner area.
 - f. Within five (5) feet from a perpendicular line drawn to the curb from either side of a doorway;
 - g. In a manner in which the movement or visibility of vehicles using the street or other public right-of-ways, including alley ways, is obstructed in accordance with all state and municipal vehicle codes.
6. ADA. The proposed vending activity shall not violate the Americans with Disabilities Act.
7. Waste receptacle. Vendors, solicitors, and temporary merchants shall keep the area of operation free of debris. Vendors selling food or beverages must provide trash receptacles and removal of associated waste adjacent to or as a part of their operations. All spilled food, beverages, grease, or other trash or debris accumulating within twenty (20) feet of any mobile vending vehicle shall

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be cleaned and collected by the vendor and deposited in the vendor's trash receptacle. The vendor is prohibited from depositing its waste, ice, and any grey or waste water into sidewalk waste receptacles, privately owned dumpster, City planters, gutters or the street drainage system.

8. Maintenance of vehicle. Mobile vending vehicles shall be maintained in such a manner that prevents the spilling or splattering of grease, water, food, or trash on any public right-of-way where the vehicle is located. The vehicle owner shall be responsible for the cleaning and repair of any public right-of-way affected by their use.
9. Alcoholic beverages. Vendors and temporary merchants shall not offer alcoholic beverages for purchase except as licensed by a special event permit or community event license.
10. Display of license. The permittee shall obtain and maintain in effect all required permits and business licenses and display the permit or license at the vending site in a manner approved by the Finance Department.
11. Amplified music. Vendors and temporary merchants shall not use amplified music in conjunction with their use.
12. Cooking mechanism. Mobile vending vehicles must have the BBQ grill, stove or other cooking mechanism enclosed and permanently built into the structure of the mobile vending vehicle.
13. Pedestrian zone. A mobile food truck and associated customer queues and approved accessory units shall not impair pedestrian passage and shall be sited to provide at least four feet of clear pedestrian path through sidewalks.
14. Mobile vending operations shall be prohibited from employing flashing, blinking or strobe lights or any other light emitting devices that are designed to draw attention to the use from the public right-of-ways, including sidewalks.
15. Mobile vending vehicle support equipment must not extend more than four (4) feet from the edge of the mobile vehicle and shall only be located on the sidewalk side for mobile food trucks.
16. Signs advertising the mobile vending vehicle, Christmas tree lots, and fireworks stands are subject to current sign standards.

In addition to the applicable General Standards of Operation detailed above, Mobile Vending Carts shall be subject to the following standards:

1. The permittee shall only sell food and beverages that are capable of immediate consumption;
2. Mobile vending carts must be movable by the power of the operator alone and may not exceed five (5) feet by nine (9) feet by seven (7) feet high;

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3. The mobile vending cart must have at least two functioning rubber tired wheels, complete with an operable braking mechanism. The use of “tie downs” as the sole means of braking is prohibited;
4. All signage, lights and other appurtenances ancillary to the mobile vending cart for the purpose of display are required to be securely attached to the outside of the cart. All associated vending activity, excluding customer queues and a rubbish/recycling can, shall be prohibited from being located on the sidewalk;
5. Mobile vending carts shall not be locked or chained to a parking meter, tree, street light or other street furniture;
6. Mobile vending carts shall not be left unattended on city streets or sidewalks for more than fifteen (15) consecutive minutes;
7. Utility service connections are not permitted;
8. Generators are not permitted to be used with mobile vending carts on sidewalks.

In addition to the applicable General Standards of Operation contained in 4.08.100, Mobile Food Trucks shall be subject to the following standards:

1. Vending shall only occur from a street side curb parking space where an on-street mobile vending zone has been authorized by ordinance of the City Council; or, at approved off-street locations;
2. The permittee shall only sell food and beverages that are capable of immediate consumption;
3. All signage, lights and other appurtenances ancillary to the mobile food truck for the purpose of display are required to be either displayed from inside of the vehicle or securely attached to the outside of the vehicle. All associated vending activity, excluding customer queues and a refuse/recycling can, shall be prohibited from being located on the sidewalk;
4. Vending shall only occur from the side of a food vehicle that is parked abutting and parallel to the curb;
5. A mobile food truck shall comply with all state and municipal vehicle codes and posted parking standards in mobile vending zones and shall not locate on-street in one place for more than a maximum of three hours;
6. Vehicles shall not be locked or chained to a parking meter, tree, street light or other street furniture;
7. Utility service connections are not permitted;
8. Mobile food truck generators shall be fully contained within the vehicle.

Application Process:

The permit application process begins when you submit this completed application to the City of Grants Pass. Keep in mind that acceptance of your application should in no way be construed as final approval or confirmation of your request. The application will be reviewed in accordance with Chapters 4.08 of the Grants Pass Municipal Code. The applicant is responsible for compliance with all applicable federal, state and local laws and regulations. Copies of the application and required supporting documents are forwarded and reviewed by all affected City departments and/or public agencies.

Required items:

Applicant must provide:

1. A completed Planning Application form
2. A scaled site plan of the proposed area for sidewalk vending showing the following at a minimum:
 - a. location in a designated off-street mobile vending zone (cart or truck),
 - b. location in a designated on-street mobile vending zone (truck only),
 - c. the dimensions of the site area being used for the mobile vending vehicle and circulation,
 - d. sidewalk width and fixtures such as fire hydrants, street furniture, utility poles etc. that are located on the sidewalk (cart only),
 - e. the dimensions of the mobile vending vehicle including any awnings or umbrellas,
 - f. minimum of four (4) feet of clear and unobstructed passageway between the mobile vending cart and other fixtures or obstructions on the sidewalk (cart only),
 - g. number and location of waste receptacles,
 - h. location of any attached signage (a separate sign permit is required)
 - i. the number and location of seating areas (only permissible on off-street mobile vending zones on designated public or private property),
 - j. location of restrooms for employees or patrons
3. A completed application
4. A copy of the applicant's certificate of liability insurance naming the City as an additional insured. The amount required shall be in accordance with the most recently adopted number as per Ordinance 5517 and Resolution 5682.
5. A copy of Food Handlers Card (State of Oregon regulations require every commercial food worker who is involved in public food handling and preparation, to acquire a certified food handlers card.)
6. A copy of a valid Oregon motor vehicle operator's license
7. A business tax application

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Mobile Vending Cart/Mobile Food Truck License Application

Business Name: _____

Applicant's True Name: _____
First Middle Last

Applicant's Physical Address: _____
Street Address

City State Zip code

Applicant's Mailing Address:
(if different from physical) _____
Mailing Address

City State Zip Code

Telephone _____
Home Cell

Business Alternate

E-mail

Description of the nature of the business operation the applicant will conduct to include a description of
goods, wares, merchandise or services the applicant will offer for sale:

Applicant Signature

Date

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Business Name: _____

Staff to collect the following:

- _____ A complete application
- _____ A completed planning application form
- _____ A scaled site plan
- _____ A copy of valid Food Handlers Card
- _____ A copy of a valid Oregon motor vehicle operator's license
- _____ A copy of Certificate of Liability insurance
- _____ Fees Collected:
 - _____ License and Application Fee (\$320.00 initial or \$150.00 annual renewal)

Community Development

Date submitted: _____

Planning Application Number: ____ - _____

Application (circle one)

Approved

Denied

If DENIED, attach written documentation regarding denial to the application and contact applicant.

Signature

Date

Applicant Contacted _____

If APPROVED - Route to Customer Service:

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If APPROVED - Route to Customer Service:

Customer Service:

Date Routed: _____

Contact Applicant: _____

Staff to collect the following:

_____ Business and Occupation Tax Certificate application _____ - _____ (BTAX number)

_____ Take Picture(s) _____ (picture number(s))

_____ Fees Collected:

_____ Background Check (\$10.00 per individual)

_____ Business Tax Fee (see scale)

Route Completed form to Public Safety:

Public Safety

Date routed to: _____

Background (circle one)

Approved

Denied

If denied, attach written documentation regarding denial to the application and route packet to
Community Development

Signature

Date

Route Completed form to Customer Service:

Customer Service:

Date routed to: _____ Date Returned _____

Card Created _____ Applicant Contacted _____

Signature of individual issuing license

Date